

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**  
**Act 451 of 1994**

**324.5317 State water pollution control revolving fund advisory committee.**

Sec. 5317. (1) The state water pollution control revolving fund advisory committee is created within the department of natural resources and environment.

(2) The committee shall consist of a representative of the department of natural resources and environment and additional members appointed by the director of the department of natural resources and environment upon recommendation from at least the following organizations:

- (a) The American council of engineering companies.
- (b) The American waterworks association.
- (c) The Michigan chamber of commerce.
- (d) The Michigan association of counties.
- (e) The Michigan townships association.
- (f) The Michigan municipal league with regard to appointing members from the following:
  - (i) A rural municipality with a population of 10,000 or less that operates a sewage treatment works system.
  - (ii) A suburban municipality that operates a sewage treatment works system.
  - (iii) A city that operates a sewage treatment works system.
- (g) A statewide association representing drain commissioners.
- (h) The Michigan infrastructure and transportation association.
- (i) The Michigan water and environment association.
- (j) A statewide organization of regional planning authorities.
- (k) A statewide environmental or conservation organization.

(3) The members first appointed to the committee shall be appointed within 60 days after the effective date of the amendatory act that added this section.

(4) If a vacancy occurs on the committee, the director shall make an appointment for the unexpired term in the same manner as the original appointment.

(5) The director may remove a member of the committee for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(6) The first meeting of the committee shall be called by the director of the department of natural resources and environment.

(7) A majority of the members of the committee constitute a quorum for the transaction of business at a meeting of the committee. A majority of the members present and serving are required for official action of the committee.

(8) The business that the committee may perform shall be conducted at a public meeting of the committee held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(9) A writing prepared, owned, used, in the possession of, or retained by the committee in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(10) Members of the committee shall serve without compensation.

(11) Staff from the department of natural resources and environment shall assist with the administrative tasks of the committee, including meeting notices, minutes, and compilation of resource materials and reports.

(12) The committee shall evaluate this part and make recommendations on how this part could be amended to achieve the following outcomes:

- (a) Increasing the level of investment in sewage collection and treatment systems.
- (b) Providing incentives for actions that not only improve water quality but result in pollution prevention.
- (c) Optimizing the cost benefit ratio of alternative designs of sewage collection and treatment systems.

(13) The committee shall review and make recommendations on revisions to this part related to at least all of the following:

(a) Revising procedures to accommodate concurrent design and build type procurement and other nontraditional contracting procedures.

(b) Allowing project planning and preconstruction as costs eligible for assistance from the fund.

(c) Reducing and streamlining the cost-effectiveness review requirements to be more consistent with local planning needs.

(d) Updating the scoring system to take into account infrastructure asset management.

(e) Simplifying application procedures.

(f) Reviewing options to provide grants to municipalities for timely and appropriate project planning, including disincentives for failure to demonstrate progress.

(g) Establishing protocols for a premeeting process for the department of natural resources and

environment to provide informal feedback to review the application and determine the likelihood of receiving funding.

(h) Recommending a new model for establishing interest rates on a sliding scale based on the percentage of income paid in utility fees.

(i) Reviewing options to allow municipalities to be able to roll project plan expenses into the loans.

(j) Alternative financing mechanisms for funding sewage treatment works projects, storm water projects, and nonpoint source projects.

(14) The committee shall review and make recommendations regarding the need for and design of a grant program for the purpose of funding specific wastewater treatment facility infrastructure improvements projects designed to prevent chronic discharges and projected to have significant regional benefits to Great Lakes water quality and recreational opportunities.

(15) Not later than August 1, 2011, the committee shall submit a report to the department of natural resources and environment and to the standing committees of the senate and house of representatives with jurisdiction over issues primarily pertaining to natural resources and the environment, containing the committee's conclusions and recommendations.

(16) Effective 6 months after the committee submits its report under subsection (15), the committee is abolished.

(17) As used in this section, "committee" means the state water pollution control revolving fund advisory committee created in subsection (1).

**History:** Add. 2010, Act 231, Imd. Eff. Dec. 14, 2010.

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